



Express Mail Label No.:

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): P. Bonutti et al.

Confirmation No.: 4865

Application No.: 10/797,685

Group Art Unit: 3731

Filed: March 9, 2004

Examiner:

For: METHOD AND DEVICE FOR SECURING BODY  
TISSUE Attorney Docket No: 782-A04-026**POWER OF ATTORNEY BY ASSIGNEE AND EXCLUSION OF INVENTOR(S)  
UNDER 37 C.F.R. 3.71 WITH STATEMENT UNDER C.R.F 3.73(b)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The undersigned assignee of the entire interest in the above-identified subject application hereby appoints  
the practitioners associated with

Customer No. 33771

all of Fleit, Kain, Gibbons, Gutman, Bongini & Bianco P.L. whose address is 601 Brickell Key Drive, Suite 404, Miami, FL 33131, as its attorney(s) or agent(s) to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, said appointment to be to the exclusion of the inventors and their attorney(s) in accordance with the provisions of 37 C.F.R. 3.71, provided that, if any one of these practitioners ceases being affiliated with Customer No. 33771, then the appointment of that practitioner and all powers derived therefrom shall terminate on the date such practitioner ceases being so affiliated.

**Please direct all correspondence for this application to customer number no. 33771**

I am the:

Applicant/Inventor  
 Assignee of record of the entire interest. See 37 CFR 3.71.  
(Statement under 37 C.R.F 3.73(b) is applicable)

**Statement Under 37 C.R.F 3.73(b)**

states that it is:

the assignee of the entire right, title, and interest; or  
 an assignee of less than the entire right, title, and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_ %

In the patent application/patent identified above by virtue of either:

An assignment from the inventor(s) of the patent application/patent identified above.  
The assignment was recorded in the United States Patent and Trademark Office on \_\_\_\_ at Reel \_\_\_\_,  
Frame \_\_\_\_ or for which a copy thereof is attached.

OR

A chain of title from the inventor(s), of the patent application/patent identified above, to the current  
assignee as shown below:

1. From: \_\_\_\_ to: \_\_\_\_  
The document was recorded in the United States Patent and Trademark Office on \_\_\_\_ at Reel \_\_\_\_,  
Frame \_\_\_\_ or for which a copy thereof is attached.

2. From: \_\_\_\_ to: \_\_\_\_  
The document was recorded in the United States Patent and Trademark Office on \_\_\_\_ at Reel \_\_\_\_,  
Frame \_\_\_\_ or for which a copy thereof is attached.

3. From: \_\_\_\_ to: \_\_\_\_  
The document was recorded in the United States Patent and Trademark Office on \_\_\_\_ at Reel \_\_\_\_,  
Frame \_\_\_\_ or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments of other documents in the chain of title are attached.

[Note: A separate copy (i.e., the original assignment document or true copy of the original document) must  
be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded  
in the records of the USPTO. See MPEP 302.08.

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

ASSIGNEE: BONUTTI 2003 TRUST

Date: 7/26/04

Signature: 

Peter M. Bonutti

Position/Title: Trustee

Address: 1303 Evergreen Ave  
P.O. Box 1387  
Effingham, IL 62401



DOCKET NO. 782-A04-026

## ASSIGNMENT

WHEREAS, we, **Peter M. Bonutti, Lawrence Cranich, Robert C. Allman and Kevin Allaire**, ASSIGNORS, whose residences and countries of citizenship are as stated underneath our signatures below, are the inventors of the invention in

## METHOD AND DEVICE FOR SECURING BODY TISSUE

for which we have executed an application for a Patent of the United States

- for which an application for a United States Patent was filed on March 9, 2004 Application Number 10/797,685
- which is executed on even date herewith,

and, WHEREAS, **BONUTTI 2003 TRUST, ASSIGNEE**, is desirous of obtaining our entire, right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said ASSIGNORS, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, our entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereto, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof.

AND WE HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

AND WE HEREBY further covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

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AND WE HEREBY grant the firm of Fleit, Kain, Gibbons, Gutman, Bongini & Bianco P.L. the power to insert into this Assignment any further identification which may be necessary or desirable to comply with the rules of the United States Patent and Trademark office for recordation of this Assignment.

IN TESTIMONY WHEREOF, we hereunto set our hands and seals the day and year set opposite our respective signatures.

FIRST INVENTOR:

Peter M. Bonutti

Date: 7/26/04Signature: PMB

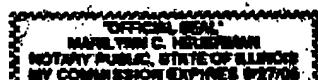
Mailing Address: 1303 Evergreen Avenue, Effingham, IL 62401

Country of citizenship: USState of Illinois)

SS:

County of Effingham)

On this 26th day of July, 2004, before me, a Notary Public in and for the State and County aforesaid, personally appeared Peter M. Bonutti to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.



Marilyn Heuerman  
Notary Public

SECOND INVENTOR:

Larry Crainich

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Mailing Address: P.O. Box 324, Charlestown, NH 03603

Country of citizenship: US

State of \_\_\_\_\_)

SS:

County of \_\_\_\_\_)

On this \_\_\_\_\_ day of \_\_\_\_\_, 2004, before me, a Notary Public in and for the State and County aforesaid, personally appeared Larry Crainich to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.

\_\_\_\_\_  
Notary Public

THIRD INVENTOR:

Robert C. Allman

Page 2 of 3

**COPY**

DOCKET NO. 782-A04-026

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Mailing Address: 62 Ski Bowl Road, Bellows Falls, Vermont 05101

Country of citizenship: US

State of \_\_\_\_\_)

SS:

County of \_\_\_\_\_)

On this \_\_\_\_\_ day of \_\_\_\_\_, 2004, before me, a Notary Public in and for the State and County aforesaid, personally appeared Robert C. Allman to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.

\_\_\_\_\_  
Notary Public

FOURTH INVENTOR: Kevin Allaire

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Mailing Address: 32A Mattapoisett Neck Road, Mattapoisett, MA 02739

Country of citizenship: US

State of \_\_\_\_\_)

SS:

County of \_\_\_\_\_)

On this \_\_\_\_\_ day of \_\_\_\_\_, 2004, before me, a Notary Public in and for the State and County aforesaid, personally appeared Kevin Allaire to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.

\_\_\_\_\_  
Notary Public**COPY**

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## ASSIGNMENT

WHEREAS, we, **Peter M. Bonutti, Lawrence Cranich, Robert C. Allman and Kevin Allaire**,  
ASSIGNORS, whose residences and countries of citizenship are as stated underneath our signatures  
below, are the inventors of the invention in

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for which an application for a United States Patent was filed on March 9, 2004  
Application Number 10/797,685

which is executed on even date herewith,

and, WHEREAS, **BONUTTI 2003 TRUST, ASSIGNEE**, is desirous of obtaining our entire, right, title  
and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and  
other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said  
ASSIGNORS, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign,  
transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, our  
entire right, title and interest in, to and under the said invention, and the said United States application  
and all divisions, renewals and continuations thereof, and all Patents of the United States which may be  
granted thereon and all reissues and extensions thereof; and all applications for industrial property  
protection, including, without limitation, all applications for patents, utility models, and designs which  
may hereafter be filed for said invention in any country or countries foreign to the United States, together  
with the right to file such applications and the right to claim for the same the priority rights derived from  
said United States application under the Patent Laws of the United States, the International Convention  
for the Protection of Industrial Property, or any other international agreement or the domestic laws of the  
country in which any such application is filed, as may be applicable; and all forms of industrial property  
protection, including, without limitation, patents, utility models, inventors' certificates and designs which  
may be granted for said invention in any country or countries foreign to the United States and all  
extensions, renewals and reissues thereof.

AND WE HEREBY authorize and request the Commissioner of Patents and Trademarks of the  
United States, and any Official of any country or countries foreign to the United States, whose duty it is  
to issue patents or other evidence or forms of industrial property protection on applications as aforesaid,  
to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance  
with the terms of this instrument.

AND WE HEREBY covenant and agree that we have full right to convey the entire interest  
herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

AND WE HEREBY further covenant and agree that we will communicate to the said  
ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said  
invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing,  
reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the

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said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

AND WE HEREBY grant the firm of Fleit, Kain, Gibbons, Gutman, Bongini & Bianco P.L. the power to insert into this Assignment any further identification which may be necessary or desirable to comply with the rules of the United States Patent and Trademark office for recordation of this Assignment.

IN TESTIMONY WHEREOF, we hereunto set our hands and seals the day and year set opposite our respective signatures.

FIRST INVENTOR:

Peter M. Bonutti

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Mailing Address: 1303 Evergreen Avenue, Effingham, IL 62401

Country of citizenship: US

State of \_\_\_\_\_

SS:

County of \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, 2004, before me, a Notary Public in and for the State and County aforesaid, personally appeared Peter M. Bonutti to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.

Notary Public

SECOND INVENTOR:

Larry Crainich

Date: 7-12-04Signature: 

Mailing Address: P.O. Box 324, Charlestown, NH 03603

Country of citizenship: USState of New Hampshire

SS:

County of Sullivan**COPY**

On this 12<sup>th</sup> day of July, 2004, before me, a Notary Public in and for the State and County aforesaid, personally appeared Larry Crainich to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.

Cheryl L. Ravlin  
Notary Public

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CHERYL L. RAVLIN, Notary Public  
My Commission Expires April 21, 2009

DOCKET NO. 782-A04-026



THIRD INVENTOR: Robert C. Allman

Date: 7-12-04Signature: Robert C. Allman

Mailing Address: 62 Ski Bowl Road, Bellows Falls, Vermont 05101

Country of citizenship: US

State of New Hampshire

SS:

County of Sullivan

On this 12<sup>th</sup> day of July, 2004, before me, a Notary Public in and for the State and County aforesaid, personally appeared Robert C. Allman to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.

Cheryl L. Ravlin  
Notary Public

CHERYL L. RAVLIN, Notary Public  
My Commission Expires April 21, 2009

FOURTH INVENTOR: Kevin Allaire

Date: 7-15-04Signature: Kevin Allaire

Mailing Address: 32A Mattapoisett Neck Road, Mattapoisett, MA 02739

Country of citizenship: US

State of MASSACHUSETTS

SS:

County of BRISTOL

On this 15<sup>th</sup> day of July, 2004, before me, a Notary Public in and for the State and County aforesaid, personally appeared Kevin Allaire to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.

Joyce L. Nelson  
Notary Public

OFFICIAL SEAL  
JOYCE L. NELSON  
NOTARY PUBLIC  
COMMONWEALTH OF MASSACHUSETTS  
My Comm. Expires Mar. 3, 2011